



FREEDOM OF INFORMATION ACT OFFICE
UNIVERSITY OF MICHIGAN

February 27, 2019

Elc Estrera
68482-54425552@requests.muckrock.com

Re: EST 0131-19

Dear Mr. Estrera:

I am writing in response to your Freedom of Information Act request directed to the University of Michigan Ann Arbor Office of Budget and Planning dated February 5, 2019, which was received on February 6, 2019.

You requested:

1. The total number of forcible sexual offenses that occurred on the University Of Michigan-Ann Arbor campus in each year from 1990-2000 inclusive. Also requested are: (1) the date of each offense, and (2) whether the offense occurred on-campus or off-campus. A forcible sexual offense is defined by the U.S. Department of Education's Office of Postsecondary Education as: "any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent" (https://www2.ed.gov/campus-crime/HTML/pdf/cs_forcible.pdf). The Office notes further: "Please count one offense per victim. In cases where several offenders commit a Forcible Sex Offense against one person, count one Forcible Sex Offense. Do not count the number of offenders."
2. The total number of nonforcible sexual offenses that occurred on the University Of Michigan-Ann Arbor campus in each year from 1990-2000 inclusive. Also requested are: (1) the date of each offense, and (2) whether the offense occurred on-campus or off-campus. A nonforcible sexual offense is defined by the U.S. Department of Education's Office of Postsecondary Education as "as unlawful, non-forcible sexual intercourse" (https://www2.ed.gov/campus-crime/HTML/pdf/cs_non-forcible.pdf).

Your request is denied because we have no responsive records.

Please note that within 180 days from the date of this letter, you have the right to appeal the denial of information to the President of the University or seek judicial review in the Michigan court of claims to try to compel disclosure. If you elect to appeal and the President upholds the denial, you may still seek judicial review within the 180-day period.

An appeal to the President must be submitted in writing to: President's Office, c/o Liz Barry, The University of Michigan, 2080 Fleming Administration Building, 503 Thompson Street, Ann Arbor, MI 48109-1340 (or by email to: presoff@umich.edu). The statement must (1) identify the

request and the final determination by the FOIA officer that is being appealed, (2) specifically state the word "appeal," and (3) identify the reason or reasons why the final determination should be reversed.

If you seek judicial review in the Michigan court of claims and prevail, you will be awarded reasonable attorney's fees, costs and disbursements incurred in maintaining the action. If you prevail in part, you may still be awarded complete or partial reimbursement for those expenses. In addition to actual and compensatory damages, you will be awarded punitive damages in the amount of \$1,000.00 if the court finds that the University was arbitrary and capricious in its denial.

A copy of Section 10 of the Michigan FOIA is available for your reference and review online at <http://foia.vpcomm.umich.edu/foia-right-to-appeal/>.

Sincerely,



D. Lee Doyle
Chief Freedom of Information Officer